

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 6TH DECEMBER 2006 / 15TH AGRAHAYANA 1928

Bail Appl..No. 7213 of 2006()

CRIME NO.684/06 OF THODUPUZHA POLICE STATION

PETITIONERS/ACCUSED NOS.1 TO 4:

1. RAJESH, S/O.UNNIKRISHNAN NAIR,
KEEZHPADA HOUSE, KULAMAVU, IDUKKI, NOW RESIDING
AT THURUTHIPPILLY HOUSE,PARIYARAM P.O.,
CHALAKKUDY.
2. VALSALA, W/O.UNNIKRISHNAN NAIR,
KEEZHPADA HOUSE, KULAMAVU, IDUKKI, NOW RESIDING
AT THURUTHIPPILLY HOUSE, PARIYARAM P.O.,
CHALAKKUDY.
3. RAMYA, W/O.ANILKUMAR,
MURIKUMPUZHA HOUSE, EDAVILANGU P.O.,
KODUNGALLOOR.
4. ANISHA,W/O.RAMESH,
PALLIPPATTU HOUSE, KOORKENCHERY P.O.,
THRISSUR.

BY ADV. SRI.SOORAJ T.ELENJICKAL

RESPONDENT: COMPLAINANT:

STATE OF KERALA THROUGH
SUB INSPECTOR OF POLICE, THODUPUZHA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06/12/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

BAIL APPLICATION NO.7213 OF 2006

DATED THIS THE 6TH DAY OF DECEMBER, 2006

O R D E R

Petitioners who are accused Nos.1 to 4 in Crime No.684/06 of Thodupuzha Police Station for an offence punishable under Section 498A I.P.C., seek anticipatory bail. Even though the case has originated on the strength of a private complaint lodged by the wife of the first petitioner, having regard to the fact that their marriage took place only on 14.5.2006 and within such a short span she has been driven to the necessity of filing a complaint against her husband, mother-in-law and sisters-in-law, persuades me to refuse anticipatory bail to the first petitioner. Others being ladies, I am inclined to grant anticipatory bail to them.

2. Accordingly, a direction is issued to the Station House Officer, Thodupuzha to release petitioners 2 to 4 on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to the satisfaction of the said Police Officer and subject to the following conditions:

1. Petitioners 2 to 4 shall make themselves available for interrogation as and when required by the Investigating Officer.

2. Petitioners 2 to 4 shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

3. Petitioners 2 to 4 shall not commit any offence while on bail.

4. Petitioners 2 to 4 shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If petitioners 2 to 4 commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

In the result, the request for anticipatory bail by the first petitioner is refused and anticipatory bail is granted to petitioners 2 to 4. In the case of the first petitioner, there is no reason why he should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

V.RAMKUMAR,JUDGE.

dsn